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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,791	11/19/2001	Kirstan Vandersluis		7351

25007 7590 11/21/2005

LAW OFFICE OF DALE B. HALLING, LLC  
655 SOUTHPOINTE COURT, SUITE 100  
COLORADO SPRINGS, CO 80906

EXAMINER

BURGESS, BARBARA N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/992,791	Applicant(s) VANDERSLUIS ET AL.	
	Examiner Barbara N. Burgess	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action is in response to amendments filed August 31, 2005. Claims 1-18 are presented for further examination.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn et al. (hereinafter "Blinn", US 5,897,622) in view of Alexander (hereinafter "Alexander", US Patent No. 6,732,331 B1).

As per claim 1, Blinn discloses a method for partitioning processing responsibilities for the processing or generation of data messages into components comprising the computer-implemented steps of:

- Define a BizDocument which defines a data message (column 3, lines 1-7, 46-49, column 5, lines 35-40, column 6, lines 36-40);
- Provide for the ability for Client systems to request a specific BizDocument (column 3, lines 25-30, column 5, lines 40-44, column 7, lines 6-11, column 8, lines 1-16, column 10, lines 6-9);
- Upon receipt of a request for a BizDocument, read the BizDocument into

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an attached memory, perform processing on each element within the BizDocument according to a predefined computer language (column 3, lines 46-65, column 4, lines 8-25, column 6, lines 47-67, column 7, lines 8-14, 45-50, column 8, lines 53-59, column 10, lines 39-42, column 12, lines 7-30);

- Send the resulting contents of the attached memory to the requesting Client system (column 6, lines 56-60, column 10, lines 12-17, 39-42, column 12, lines 3-6, column 14, lines 11-14, 57-61, column 16, lines 34-37).

Blinn does not explicitly disclose a BizDocument containing XML. However, in an analogous art, Alexander discloses Web templates written as proprietary scripts, such as Microsoft Active Server Pages, and the style sheets are written in the Extensible Stylesheet Language (XSL). XML documents can be combined with the Web templates and style sheets and sent directly by the Web server (column 6, lines 40-56).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Alexander's Bizdocument containing XML in Blinn's method enabling their ability to be distributed and interpreted in an almost hardware-independent manner by browsers operating in a variety of hardware environments.

As per claim 2, Blinn discloses the method of Claim 1 wherein the method further comprises the steps of providing the capability to define data sets called Bizcomponents associated to one or more elements of a message, a Bizcomponent having a definition that is stored in a separate file or module, or generated by some other process, and the

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capability of processing a Bizcomponent during the processing of elements within the BizDocument (column 3, lines 46-55, column 4, lines 8-25).

As per claim 3, Blinn discloses the method of Claim 2 wherein a Bizcomponent may include the definition of parameters for which the calling BizDocument or Client will provide actual values (column 8, lines 24-30, 53-57).

As per claim 4, Blinn discloses the method of Claim 3 wherein a Bizcomponent may accept a set of elements as input and may provide a set of elements as output (column 13, lines 55-67, column 14, lines 1-14).

As per claim 5, Blinn further discloses the method of Claim 4 wherein a Bizcomponent may interact with a Server system, or other Bizcomponent, or other BizDocument to transfer data to or from that Server system (column 5, lines 35-40, column 6, lines 26-30, 47-55).

As per claim 6, Blinn discloses the method of Claim 5 wherein a Bizcomponent may transform data between the required format of the Server system with which it interacts, and the desired format of a message (column 5, lines 35-40, column 6, lines 26-30, 47-55).

As per claim 7, Blinn discloses the method of Claim 6 wherein a Bizcomponent may contain processing instructions which are processed according to a predefined computer language (column 7, lines 50-51, column 10, lines 43-55, 65-67, column 11, lines 1-5).

As per claim 8, Blinn discloses the method of Claim 7 wherein a Bizcomponent may be considered to belong to a class of Bizcomponents, and a computer program or code module designed to process Bizcomponents in that class may be loaded to process the Bizcomponent (column 3, lines 46-55, column 4, lines 8-25).

As per claim 9, Blinn discloses the method of Claim 8 wherein the method further comprises the steps of providing the capability for a Bizcomponent to access a Server system through an intermediate entity called a BizDriver, a BizDriver having a definition stored in a separate tile or module, or generated by some other process (column 3, lines 46-55, column 4, lines 8-25).

As per claim 10, Blinn discloses the method of Claim 9 wherein a BizDriver may include the definition of parameters for which the calling Bizcomponent will provide actual values (column 8, lines 24-30, 53-57).

As per claim 11, Blinn discloses the method of Claim 10 wherein a BizDriver may accept a set of elements as input and may provide a set of elements as output (column 13, lines 55-67, column 14, lines 1-14).

As per claim 12, Blinn discloses the method of Claim 11 wherein a BizDriver may interact with a Server system, to transfer data to or from that Server system (column 5, lines 35-40, column 6, lines 26-30, 47-55).

As per claim 13, Blinn further discloses the method of Claim 12 wherein a BizDriver may contain processing instructions which are processed according to a predefined computer language (column 7, lines 50-51, column 10, lines 43-55, 65-67, column 11, lines 1-5).

As per claim 14, Blinn discloses the method of Claim 13 wherein a BizDriver may be considered to belong to a class of BizDrivers, and a computer program or code module designed to process BizDrivers in that class may be loaded to process the Bizcomponent (column 3, lines 46-55, column 4, lines 8-25).

As per claim 15, Blinn discloses the method of Claim 14.  
Blinn does not explicitly disclose wherein the format of a BizDocument, Bizcomponent, and BizDriver may be Extensible Markup Language (XML). However, in an analogous art, Alexander discloses Web templates written as proprietary scripts, such as Microsoft

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Active Server Pages, and the style sheets are written in the Extensible Stylesheet Language (XSL). XML documents can be combined with the Web templates and style sheets and sent directly by the Web server (column 6, lines 40-56).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Alexander's Bizdocument containing XML in Blinn's method enabling their ability to be distributed and interpreted in an almost hardware-independent manner by browsers operating in a variety of hardware environments.

As per claim 16, Blinn discloses the method of Claim 15 wherein a BizDocument may include the definition of parameters for which the calling Client will provide actual values (column 8, lines 24-30, 53-57).

As per claim 17, Blinn discloses the method of Claim 16 wherein a BizDocument may accept a set of elements as input and may provide a set of elements as output (column 13, lines 55-67, column 14, lines 1-14).

As per claim 18, Blinn discloses the method of Claim 17 wherein a BizDocument may contain processing instructions which are processed according to a predefined computer language (column 7, lines 50-51, column 10, lines 43-55, 65-67, column 11, lines 1-5).



***Response to Arguments***

**The Office notes the following arguments:**

- (a) Alexander does not teach how to convert the HTML structure of Blinn's dynamic page generator into XML.
  - (b) Blinn's output is to a browser for display and browsers inherently use HTML not XML.
  - (c) Claims 1 require that the BizDocument contain XML. This is not shown in the prior art.
3. Applicant's arguments filed have been fully considered but they are not persuasive.

**In response to:**

- (a) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "how to convert the HTML structure into XML" is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
- (b) XML is widely used to output to browsers for display. Alexander explicitly discloses "although many markup languages exist, the Hypertext Markup Language (HTML) and the Extensible Markup Language (XML) are widely used due to their ability to be distributed and interpreted in an almost hardware-independent manner by browsers operating in a variety of hardware environments" (column 1, lines 29-40).

(c) Alexander discloses a client making a request and the Web server retrieving the XML document which is combined with metadata retrieved from the SQL server database (column 6, lines 39-56). Alexander further discloses input parameters of a form are XML. The XML content containing the content data for the data entry form is retrieved (column 10, lines 40-67, column 11, lines 1-15, 40-60). Therefore, Alexander indeed discloses, "define a BizDocument containing XML which defines a data message".

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

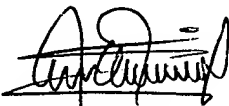
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess  
Examiner  
Art Unit 2157

November 8, 2005

  
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